



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office Of The Under Secretary

4 Sep 2001

MEMORANDUM FOR SEE DISTRIBUTION

FROM: SAF/IA
1080 Air Force Pentagon
Washington, DC 20330-1080

SUBJECT: Compliance with Non-Discriminatory Directives In the Performance of Security Assistance (SA) And Foreign Military Sales (FMS) Programs (SAF/IAPX - 01020)

- References:
- (a) Air Force Policy Against Discrimination, AF/CC and SAF Memo, 7 Mar 97
 - (b) SAF/IA Memo, Non-Discrimination In the Performance of Security Assistance - Including Foreign Military Sales and Need for Training, 18 Jul 97
 - (c) 22 U.S.C., Sec. 2755, Chapter 39 - Arms Export Control Act (AECA), Subchapter I - Foreign and National Security Policy Objectives and Restraints, (a) Congressional Declaration Of Policy
 - (d) Federal Acquisition Regulations (FAR), Part 52.222-26, *Equal Opportunity* and Part 52.222-36, *Affirmative Action for Workers with Disabilities*
 - (e) DoD 5105.38-M Security Assistance Management Manual (SAMM), Section 202, Para 2021 (A)(11), *Prohibition Against Discrimination, Intimidation, or Harassment*; Table 701-1, *Conditions - US Government (USG)*
 - (f) AFI 36-2110, Chapter 2, Para 2.3, Equal Opportunity

This memorandum will serve as a reissuance of previous policy guidance (Ref b) regarding Compliance with Non-Discriminatory Directives In the Performance of Security Assistance (SA) and Foreign Military Sales (FMS) Programs throughout the Air Force.

As stated in AFI 36-2110, para 2.3 (Ref f), the Air Force assigns members without regard to race, color, religious preference, national origin or gender. All personnel, whether employed by the Air Force or an Air Force contractor, should have equal employment opportunities in all locations, including foreign countries.

In order to afford every employee equal employment opportunities, the Air Force strictly enforces laws and regulations concerning discrimination. All contracts entered into by the Air Force, with limited exceptions not relevant to this memorandum, must include the clause at FAR 52.222-26 entitled "Equal Opportunity" (Ref d). This "Equal Opportunity" clause requires the contractor to agree not to discriminate against an employee or applicant for employment because

of race, religion, sex or national origin. Title 22 of the U.S.Code (Ref c) has a similar requirement for all Foreign Military Sales (FMS) contracts, as well as a prohibition against discrimination in performing functions under the act.

DoD 5105.38-M, Security Assistance Management Manual (SAMM), at Section 202 and Table 701-1, (Ref e), further reiterates legislative policy regarding the prohibition against discrimination, intimidation, or harassment within the Security Assistance community.

All personnel must understand our long-standing policy against discrimination. The above-referenced laws and regulations reflect American values of integrity, honesty and opportunity for all. We should share our values with foreign partners with whom we work. I appreciate your enthusiastic support of this important policy against discrimination.

//signed//

WILLARD H. MITCHELL

Deputy Under Secretary of the Air Force
International Affairs

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SECRETARY OF THE AIR FORCE
WASHINGTON

MAR 7 1997

MEMORANDUM FOR ALMAJCOM. FOA. DRU/CC
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SUBJECT: Air Force Policy Against Discrimination

The Air Force is unwavering in its opposition to unlawful discrimination. In a 1991-92 incident of concern that has been the subject of recent focus, a government contractor purported to exclude persons based on their religion from assignment on an Air Force-related project in a foreign country. This incident should never have occurred and serves as a reminder of the need to be vigilant to ensure that fundamental policies are followed at all times.

Air Force policy in this area is clear. In employing or assigning personnel to participate in the performance of any function, Air Force personnel and contractors shall not unlawfully discriminate based upon race, color, religion, national origin, sex, age, or disabling condition and shall not take account of the exclusionary policies or practices of any foreign government to do so, including those motivated by an unsanctioned foreign boycott. Laws and regulations concerning discrimination must be adhered to strictly. If questions arise, get advice; if discrimination is encountered, report it. Violations will not be tolerated.

Please ensure that all personnel within your command or supervision fully understand this policy and the importance of compliance.

A large, stylized handwritten signature of Ronald R. Fogelman, consisting of a large loop and a long horizontal stroke.

Ronald R. Fogelman
General, USAF
Chief of Staff

A handwritten signature of Sheila E. Widnall, written in a cursive style.

Sheila E. Widnall
Secretary of the Air Force



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000

OFFICE OF THE UNDER SECRETARY

18 JUL 1997

MEMORANDUM FOR HQ AFMC/CC
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FROM: SAF/IA

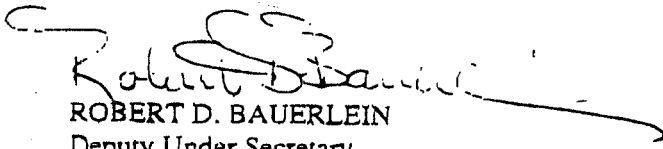
SUBJECT: Non-Discrimination In the Performance of Security Assistance -- Including Foreign Military Sales and Need for Training

All Air Force personnel involved in security assistance - including Foreign Military Sales - must understand and strictly adhere to Air Force policy against unlawful discrimination. In case you have not seen it, I am enclosing a memorandum from the Secretary and Chief of Staff reiterating the Air Force's strong policy against unlawful discrimination. I am also enclosing for your information a memorandum I issued recently to all personnel in SAF/IA noting an instance where our policy was not followed; which highlights the need for vigilance - and more training - to ensure that our policy is understood and followed.

To help meet this training need, we have developed a Non-Discrimination Training Program (NDTP). An outline of this program is enclosed. The NDTP will be given to all SAF/IA personnel now, to incoming personnel after they join our staff, and to all personnel annually as a refresher course. This training is in addition to, and not instead of, other mandatory or general social actions or equal opportunity training.

I would like your assistance in ensuring that this training is provided to all personnel within your command who are involved in, work with, or assign personnel to, security assistance programs (hereinafter referred to as the security assistance staff). As with SAF/IA personnel, the training should be given now to all personnel, to new personnel after they join the security assistance staff, and annually thereafter on a refresher basis. I would appreciate it if you could advise me on actions taken within your command to implement this training.

Thank you for your assistance.


ROBERT D. BAUERLEIN
Deputy Under Secretary
International Affairs

- 3 Attachments
1. SECAF/CSAF Memo
2. SAF/IA Memo
3. NDTP

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